

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

USDS SDNY**DOCUMENT****ELECTRONICALLY FILED****DOC #:****DATE FILED:** 6/25/08

66 Chambers Street
New York, New York 10007

June 24, 2008

By Fax

Hon. John G. Koeltl
United States District Judge
United States Courthouse
500 Pearl Street, Room 1030
New York, New York 10007

JUN 24 2008

Re: Elaine Johnson v. Astrue
07 Civ. 9294 (JGK)

This Office represents the Commissioner of Social Security, the defendant in this action. We write respectfully, with the consent of plaintiff's counsel, to request an adjournment of the Court's briefing schedule.

Plaintiff has filed a motion for judgment on the pleadings and, under the current schedule, the Government's cross-motion for judgment is due today, June 24, 2008. As we advised the Court earlier, this Office has requested additional information from the Social Security Administration regarding this matter. In addition, the agency is reviewing this matter to see whether a change in its litigation position is warranted. In view of the foregoing, we respectfully request an adjournment of the briefing schedule. Accordingly, we respectfully request that the Court's scheduling order be amended as follows:

Defendant will move on or before July 24, 2008

Plaintiff will serve a reply, if any, on or before August 7, 2008.

Defendant will serve a reply, if any, on or before August 21, 2008.

APPLICATION GRANTED
SO ORDERED

John G. Koeltl, U.S.D.J.

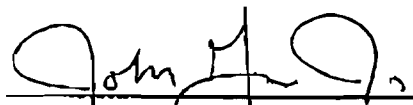
6/24/08

One previous request for an adjournment of the briefing schedule was granted by the Court. Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



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